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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM HENRY VIVAS,

Defendant.

No. CR 08-212 JSW

~~PROPOSED~~ ORDER EXCLUDING
TIME FROM FEBRUARY 26, 2009
THROUGH MARCH 19, 2009

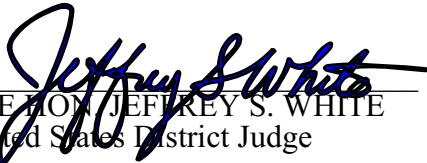
The defendant, WILLIAM HENRY VIVAS, represented by Susan Raffanti, and the government, represented by Tarek J. Helou, appeared before the Court on February 26, 2009 for the defendant's initial status conference in district court. The parties represented that the United States had provided a significant amount of discovery to defense counsel, and one CD had technical problems, and the government provided defense counsel a working copy of that CD at the February 26, 2009 court appearance. Defense counsel requested a continuance of the matter.

The matter was continued to March 19, 2009 at 2:30 p.m. for a change of plea hearing or to set further proceedings. Counsel for the defendant requested that time be excluded under the Speedy Trial Act from February 26, 2009 through March 19, 2009 because she needed the

1 remaining period of time to review the discovery and to conduct necessary investigation. The
2 government stated it had no objection to excluding time.

3 Based upon the representation of counsel and for good cause shown, the Court finds that
4 failing to exclude the time from February 26, 2009 through March 19, 2009 would unreasonably
5 deny the defendant the reasonable time necessary for effective preparation of his counsel, taking
6 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(8)(B)(iv). The Court further
7 finds that the ends of justice served by excluding the time from February 26, 2009 through March
8 19, 2009 from computation under the Speedy Trial Act outweigh the best interests of the public
9 and the defendant in a speedy trial. Therefore, IT IS HEREBY ORDERED that the time from
10 February 26, 2009 through March 19, 2009 shall be excluded from computation under the
11 Speedy Trial Act. 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

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14 DATED: March 25, 2009



THE HON. JEFFREY S. WHITE
United States District Judge